IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L) NO. 34 OF 2005

IN

WRIT PETITION NO. 1129 OF 2005

State of Maharashtra & Ors. .. Petitioners

V/s

Dr. Sudhir Shetkar & Ors. .. Respondents

Mr.A.A. Kumbhakoni with Mr.M.D. Naik, A.G.P. for the Petitioners.

Mr.M.M. Vashi for Respondent No.1.

CORAM : H.L. GOKHALE &
S.C. DHARMADHIKARI, JJ.

DATE : 29TH APRIL 2005

P.C. :

1. Heard Mr.Kumbhakoni in support of this review petition. Mr.Vashi appears for Respondent No.1 who is contesting this review petition.

2. The petition seeks review of order passed by us on 31st March 2005 in two respects. Firstly, a correction is sought in the figures which are mentioned in para 3 of our order. It is stated that the total number of seats are not 992, but they are 987. This is

in view of de-recognition of some 5 seats attached to the Government Medical College at Solapur. Mr.Vashi, learned counsel for Respondent No.1, does not dispute this statement. This being the position, the total number of seats now available will be 987. Half of them, i.e. 494 seats, will be made available to the All India quota. From amongst the remaining half, i.e. 247 seats will be available to the reserved categories and the remaining half, i.e. 247 seats will be available to the open category. To that extent, the figures in para 3 will stand corrected.

3. The other correction sought is in para 4. It is submitted that some 152 students, who were selected in the earlier batch, are required to be considered for admission this year. The justification given is that they were supposed to go for rural work whereas the new batch is not required to go for rural work. Mr.Vashi has pointed out the letter dated 31st December 2004 of the Director of Medical Education which states in para 4 that for want of availability of appropriate posts in the rural areas of State of Maharashtra, for last few years, such students could not be placed in rural areas. This being the position, we are not in a position to accept this modification in para 4 of our order. If at

all the State is aggrieved and want to canvass this submission, it would be open to them to carry the matter to the Apex Court. The review, as far as para 4 of our order is concerned, is rejected.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)